

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

PIXION, INC., a Delaware corporation,

Plaintiff,

vs.

**FUZEBOX SOFTWARE
CORPORATION, a Delaware corporation,**

Defendant.

Case No.

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Pixion, Inc. hereby alleges the following against Defendant FuzeBox Software Corporation:

NATURE OF THE ACTION

1. This is an action under the U.S. Patent Act, 35 U.S.C. § 1 *et seq.*, for infringement of several patents assigned to Pixion, Inc.

THE PARTIES

2. Plaintiff Pixion, Inc. (“Pixion”) is a Delaware corporation.

3. Defendant FuzeBox Software Corporation (“FuzeBox”) is a Delaware corporation.

FuzeBox may be served via its registered agent, National Corporate Research, Ltd., located at 615 South Dupont Highway, Dover, Delaware, 19901.

JURISDICTION AND VENUE

4. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. FuzeBox is subject to personal jurisdiction in the District of Delaware (the “District”) because it is a corporation organized under the laws of the State of Delaware, it has a registered agent for service of process in Delaware, and at least thereby it avails itself of the privileges and protections of the laws of the State of Delaware. Additionally, FuzeBox regularly solicits and transacts business in the District, offers the accused product in the District and derives revenue from the accused product in the District, via its active website, www.fuze.com.

6. Venue is proper in the District pursuant to 28 U.S.C. §§ 1391 and § 1400.

THE PATENTS-IN-SUIT

7. Pixion is the owner by assignment of the entire right, title, and interest in United States Patent No. 7,418,476 (the “’476 Patent”) entitled “Presenting Images in a Conference System.” The ’476 Patent was duly and legally issued by the United States Patent and Trademark Office on August 26, 2008. The ’476 Patent is valid and enforceable. A true and correct copy of the ’476 Patent is attached hereto as **Exhibit A**.

8. The ’476 Patent contains three independent claims and twenty-eight dependent claims. The accused infringing product (hereafter “Accused Fuze Product” or “Accused Product”) infringes at least independent claims 1 and 10 of the ’476 Patent.

9. Pixion is the owner by assignment of the entire right, title, and interest in United States Patent No. 7,836,163 (the “’163 Patent”) entitled “Management of Stored Conference Data.” The ’163 Patent was duly and legally issued by the United States Patent and Trademark Office on November 16, 2010. The ’163 Patent is valid and enforceable. A true and correct copy of the ’163 Patent is attached hereto as **Exhibit B**.

10. The ’163 Patent contains one independent claim and thirty dependent claims. The Accused Fuze Product infringes at least independent claim 1 of the ’163 Patent.

11. Pixion is the owner by assignment of the entire right, title, and interest in United States Patent No. 7,197,535 (the “535 Patent”) entitled “System and Method for Frame Image Capture.” The '535 Patent was duly and legally issued by the United States Patent and Trademark Office on March 27, 2007. The '535 Patent is valid and enforceable. A true and correct copy of the '535 Patent is attached hereto as **Exhibit C**.

12. The '535 Patent contains three independent claims and eight dependent claims. The Accused Fuze Product infringes at least independent claims 1, 10 and 11 of the '535 Patent.

DESCRIPTION OF THE ACCUSED PRODUCT

13. The Accused Fuze Product infringes one or more claims of the '476 Patent in that, among other things, it receives a display image on a first computer which is also displayed on another computer, the image is captured and transmitted to the second computer for display by the other computer.

14. The Accused Fuze Product infringes one or more claims of the '163 Patent in that, among other things, it manages stored conferencing data and retrieves the data in response to a retrieval request. Specifically, the Accused Fuze Product can record a conference, save the recording, and send a link of the recording to a requesting user.

15. The Accused Fuze Product infringes one or more claims of the '535 Patent in that, among other things, it captures a frame image from a first computer within a conferencing system. FuzeBox delivers the choice to screen share content or to share content from the cloud including high resolution imagery, videos, presentations, and documents. A host can share their desktop or share an application and keep any other information on the host's desktop

confidential. In other words, the host can set boundary positions independent of the boundaries of any window to display only what the host wants to display.

COUNT I

Infringement of U.S. Patent No. 7,418,476

16. Pixion repeats and re-alleges each of the allegations set forth in paragraphs 1 through 15 above as if fully set forth herein.

17. FuzeBox directly infringes at least claims 1 and 10 of the '476 Patent by making, using, selling, distributing, and offering to sell a method and system for presenting images in a conference system which performs the method and system claimed in the '476 Patent, in violation of 35 U.S.C. § 271(a).

18. Pixion has been and continues to be damaged by FuzeBox's infringement of the '476 Patent in an amount to be proven at trial.

COUNT II

Infringement of U.S. Patent No. 7,836,163

19. Pixion repeats and re-alleges each of the allegations set forth in paragraphs 1 through 18 above as if fully set forth herein.

20. FuzeBox directly infringes at least claim 1 of the '163 Patent by making, using, selling, distributing, and offering to sell a method for managing stored conferencing data which performs the method claimed in the '163 Patent, in violation of 35 U.S.C. § 271(a).

21. Pixion has been and continues to be damaged by FuzeBox's infringement of the '163 Patent in an amount to be proven at trial.

COUNT III

Infringement of U.S. Patent No. 7,197,535

22. Pixion repeats and re-alleges each of the allegations set forth in paragraphs 1 through 21 above as if fully set forth herein.

23. FuzeBox directly infringes at least claims 1, 10 and 11 of the '535 Patent by making, using, selling, distributing, and offering to sell a method and system for presenting images in a conference system which performs the method and system claimed in the '535 Patent, in violation of 35 U.S.C. § 271(a).

24. Pixion has been and continues to be damaged by FuzeBox's infringement of the '535 Patent in an amount to be proven at trial.

DEMAND FOR JURY TRIAL

25. Pixion demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

For all the foregoing reasons, Pixion respectfully requests that this Court enter:

A. A judgment in favor of Pixion and against FuzeBox that FuzeBox has directly infringed the '476 Patent, the '163 Patent and the '535 Patent;

B. A judgment and order requiring FuzeBox to pay Pixion damages adequate to compensate Pixion for FuzeBox's infringement pursuant to 35 U.S.C. § 284, including costs, expenses, and pre-judgment and post-judgment interest; and

C. Any and all other relief to which Pixion may show itself to be entitled.

Dated: July 29, 2014.

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